

## **REMARKS**

This response is in reply to the non-final Office Action dated June 28, 2005. Previously, Claims 1-30 were pending. In the instant amendment, Claims 1-30 have been canceled and Claims 31-61 have been added. After entry of the instant amendment, Claims 31-61 will be pending and under consideration.

### **I. AMENDMENTS TO THE CLAIMS**

Claims 1-30 have been canceled without prejudice to Applicants' right to pursue canceled subject matter in one or more related applications.

Claims 31-61 have been added. Support for Claim 31, can be found, for example, in the specification, at page 3, lines 3-16, and page 11, lines 7-34. Support for Claims 32-34, can be found, for example, in the specification, at page 7, lines 10-12. Support for Claim 35, can be found, for example, in the specification, at page 7, lines 17-19, from page 30, line 28, to page 31, line 2, and at page 31, lines 21-31. Support for Claims 36-37, can be found, for example, in the specification, at page 7, lines 19-21, at page 31, lines 6-8 and 14-15, and Examples 2-5.

Support for Claims 38-40, can be found, for example, in the specification, at page 18, lines 3-4 and 23-30. Support for Claims 41-42, can be found, for example, in the specification, from page 26, line 30, to page 27, line 5. Support for Claims 43-44, can be found, for example, in the specification, at page 13, line 35, to page 14, line 2, at page 26, lines 31-32, and at page 28, lines 9-30. Support for Claim 45, can be found, for example, in the specification, at page 11, lines 20-22, and at page 13, line 35, to page 14, line 2. Support for Claims 46-47, can be found, for example, in the specification, from page 18, line 31, to page 19, line 2, and from page 20, line 28, to page 21, line 19.

Support for Claims 48-50, can be found, for example, in the specification, at page 17, lines 5-15, and from page 36, line 1, to page 46, line 23. Support for Claims 51-52, can be found, for example, in the specification, from page 26, line 26, to page 23, line 12. Support for Claims 53-54 can be found, for example, in the specification, at page 18, lines 3-4 and 23-30. Support for Claims 55-56, can be found, for example, in the specification, from page 11, line 35, to page 13, line 18. Support for Claim 57, can be found, for example, in the specification, at page 5, lines 21-23. Support for Claims 58-60, can be found, for example, in the specification at page 17, lines 5-15, and from page 21, line 33, to page 22, line 25.

Support for Claim 61, can be found, for example, in the specification, at page 11, lines 29-34.

Applicants respectfully submit that these amendments do not introduce any new

matter and are fully supported by the specification and the claims as originally filed. Entry and consideration of these amendments are therefore respectfully requested.

**II. THE REJECTION TO CLAIMS 1-14 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

Claims 1-14 stand rejected under 35 U.S.C. §112, second paragraph, for alleged indefiniteness. Without acquiescing to the propriety of this rejection, Applicants have canceled Claims 1-14. Applicants submit that the rejection is obviated in view of cancellation of these claims. Further, Applicants respectfully submit that one skilled in the art can understand the metes and bounds of new Claims 31-61. Accordingly, Applicants respectfully request that the rejection of Claims 1-14 under 35 U.S.C. § 112, second paragraph, be withdrawn.

**III. REJECTION OF CLAIMS 1-14 and 19-30 UNDER JUDICIALLY CREATED DOCTRINE OF DOUBLE PATENTING**

Claims 1-14 and 19-30 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as allegedly obvious variants of Claims 31-46 of co-pending application no. 10/830,543 (“the ’543 application”). As Applicants believe that this provisional rejection to be the last remaining issue prior to allowance of the present application, Applicants respectfully request that the present claims be allowed and a non-provisional obviousness-type double patenting be made in connection with the ’543 application. *See* M.P.E.P. § 822.01.

**CONCLUSION**

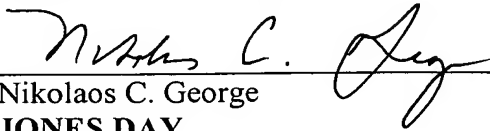
In light of the above remarks, Applicants respectfully request the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at 650-739-3939 if a telephone call could help resolve any remaining issues.

No fees, other than the fee for extension of time, are believe to be due with this response. However, pursuant to 37 C.F.R. §1.136 (a)(3), the Commissioner is authorized to

charge all required fees, or credit any overpayment, to Jones Day Deposit Account No.  
50-3013 (209073-999097).

Respectfully submitted,

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